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and MERVYN'S LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GYM-MARK, INC. and THE
GYMBOREE CORPORATION,

Plaintiffs,

v.

CHILDREN'S APPAREL NETWORK,
LTD. and MERVYN'S LLC,

Defendants.

CASE NO. C 07 03523 EDL

**DECLINATION TO PROCEED BEFORE A
MAGISTRATE JUDGE AND REQUEST
FOR REASSIGNMENT TO A UNITED
STATES DISTRICT JUDGE**

**DATE ACTION FILED: July 6, 2007
TRIAL DATE: None Set**

Magistrate Judge Elizabeth D. LaPorte

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

The undersigned parties hereby decline to consent to the assignment of this case to a
United States Magistrate Judge for trial and disposition and hereby request the reassignment of
this case to a United States District Judge.

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**DECLINATION TO PROCEED BEFORE A MAG.
JUDGE AND REQUEST FOR REASSIGNMENT
(Case No. C 07-03523 EDL)**

1 DATED: September 18, 2007

2 DORSEY & WHITNEY LLP

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4 By /S/
5 MARTHA C. LUEMERS, ESQ.
6 Attorneys for Defendants
CHILDREN'S APPAREL NETWORK LTD. and
MERVYN'S LLC